

CITY OF BAINBRIDGE ISLAND

REASONABLE USE EXCEPTION APPLICATION

FORM MUST BE COMPLETED IN INK, PREFERABLY BLUE.

PENCIL WILL NOT BE ACCEPTED.



<p>DATE STAMP FOR CITY USE ONLY</p>	<p style="text-align: center;"><u>TO BE FILLED OUT BY APPLICANT</u></p> <p>PROJECT NAME: _____</p> <p>TAX ASSESSOR'S NUMBER: _____</p> <p>_____</p> <p>_____</p> <p>PROJECT STREET ADDRESS OR ACCESS STREET: _____</p> <p>ENVIRONMENTAL CHECKLIST SUBMITTED : <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p style="text-align: center;"><u>FOR CITY USE ONLY</u></p> <p>FILE NUMBER: _____</p> <p>PROJECT NUMBER: _____</p> <p>DATE RECEIVED: _____</p> <p>APPLICATION FEE: _____</p> <p>TREASURER'S RECEIPT NUMBER: _____</p>
<p>SUBMITTAL REQUIREMENTS</p>	
APPLICATION	<p><i>One original (which must contain an original signature) and six copies</i> must be provided. Whenever possible, originals must be <i>signed in blue</i>. Please identify the original document.</p>
SUPPORTING DOCUMENTS	<p><i>One original (which must contain an original signature)</i>, where applicable, and <i>six copies</i> (if an original is not applicable, <i>seven copies</i> must be provided).</p>
FULL-SIZE DRAWINGS	<p><i>Seven copies</i> of the required drawings must be provided. Drawings <i>must be folded and 18" x 24"</i> in size. <i>No construction drawings or other sized drawings</i> will be accepted unless specifically requested.</p>
REDUCED DRAWINGS	<p><i>Two copies (five copies if commercial, educational or institutional)</i> of the drawings reduced to 11" x 17" must be provided.</p>
SUBMITTING APPLICATIONS	<p>Applications <i>must be submitted in person</i> by either the owner or the owner's designated agent. Should an agent submit the application, a <i>notarized Owner/Applicant Agreement</i> must accompany the application (owner/app agreement attached). Please call (206) 780-3762 to set up an appointment to submit the application.</p>
FEES	<p>Please call the Department of Planning & Community Development for submittal fee information. Review by the Kitsap County Health Department may require additional fees and processing time.</p>
ATTACHED SUBMITTAL CHECKLIST	<p>Please refer to attached Submittal Checklist for further information. NOTE: when submitting this application, please do not copy or include the Submittal Checklist sheets attached to the back of this application.</p>
<p>APPLICATIONS WILL NOT BE ACCEPTED unless these basic requirements are met and the submittal packet is deemed counter complete.</p>	

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
280 MADISON AVENUE NORTH • BAINBRIDGE ISLAND, WA • 98110-1812
PHONE: (206) 842-2552 • FAX: (206) 780-0955 • EMAIL: pcd@bainbridgewa.gov
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A. GENERAL INFORMATION

1. Name of property owner: _____
Address: _____
Phone: _____ Fax: _____
E-mail: _____

Name of property owner: _____
Address: _____
Phone: _____ Fax: _____
E-mail: _____

Name of property owner: _____
Address: _____
Phone: _____ Fax: _____
E-mail: _____

*If the owner(s) of record as shown by the county assessor's office is (are) not the agent,
the owner's (owners') signed and notarized authorization(s) must accompany this application.*

2. Applicant/agent: _____
Address: _____
Phone: _____ Fax: _____
E-mail: _____

3. Project contact: _____
Address: _____
Phone: _____ Fax: _____
E-mail: _____

4. Planning department personnel familiar with site: _____

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5. Description of proposal:

6. Driving directions to site:

7. Please give the following existing parcel information:

Assessor's Parcel Number	Parcel Owner	*Lot Area
Use additional sheet if necessary	Total of all parcels:	

** As defined in Bainbridge Island Municipal Code 18.12.050*

8. Legal description (or attach):

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9. Current comprehensive plan, zoning and shoreline designations and use of subject parcel(s):

Lot Number	Comp Plan Designation	Zoning Designation	Shoreline Designation	Current Use
Lot				
Lot				
Lot				
Lot				

10. Current comprehensive plan, zoning and shoreline designations and use of adjacent properties:

Property	Comp Plan Designation	Zoning Designation	Shoreline Designation	Current Use
North				
South				
East				
West				

11. Common name of adjacent water area or wetlands area: _____

12. What critical areas as defined in Critical Areas Ordinance (*Bainbridge Island Municipal Code* Chapter 16.20) are on the property?

Check as appropriate:

<input type="checkbox"/> wetland*	<input type="checkbox"/> geologically hazardous area**
<input type="checkbox"/> wetland buffer*	<input type="checkbox"/> zone of influence**
<input type="checkbox"/> stream*	<input type="checkbox"/> slope buffer**
<input type="checkbox"/> stream buffer*	<input type="checkbox"/> fish and wildlife habitat area

* If your site includes a wetland or wetland buffer, a wetland report is required with your application.

**If your site includes a geologically hazardous area or is within the zone of influence as defined in *Bainbridge Island Municipal Code* 16.20, a geotechnical report is required with your application.

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13. Are there underlying/overlying agreements on the property? ☐ yes ☐ no ☐ unknown

If yes, check as appropriate and provide a copy of the decision document:

<input type="checkbox"/> CUP Conditional Use Permit	<input type="checkbox"/> SPR Site Plan Review
<input type="checkbox"/> MPD Master Planned Development	<input type="checkbox"/> SPT Short Plat
<input type="checkbox"/> PUD Planned Unit Development	<input type="checkbox"/> SSDP Shoreline Permit
<input type="checkbox"/> REZ Contract Rezone	<input type="checkbox"/> SUB Prior Subdivision
<input type="checkbox"/> RUE Reasonable Use Exception	<input type="checkbox"/> VAR Zoning Variance
	<input type="checkbox"/> Other: _____

Under which jurisdiction was the approval given?

☐ City of Bainbridge Island ☐ Kitsap County

Approval date: _____

14. Is there any other information which is pertinent to this project? ☐ yes ☐ no

If yes, please explain: _____

15. Describe how the critical areas prevent or severely limit development.

16. Explain why other options cannot be used to allow development (i.e. zoning variances, buffer averaging, buffer reduction or habitat management plan).

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17. Can the proposed impacts be reduced? If so, how? If not, demonstrate why they cannot.

18. What are the reason(s) for requesting the reasonable use exception?

19. Check all that apply to the project parcel (s) and include square footage of area within the project parcel(s):

- ☐ Wetland
Square footage on project parcel (s): _____ SF
- ☐ Wetland Water Quality Buffer
Square footage on project parcel (s): _____ SF
- ☐ Wetland Habitat Buffer
Square footage on project parcel (s): _____ SF
- ☐ Stream
Square footage on project parcel (s): _____ SF
- ☐ Stream Water Quality Buffer
Square footage on project parcel (s): _____ SF
- ☐ Stream Habitat Buffer
Square footage on project parcel (s): _____ SF

20. Check all that apply to the project parcel (s) and include square footage of intrusion within the project parcel(s):

- ☐ Wetland
Square footage on project parcel (s): _____ SF
- ☐ Wetland Water Quality Buffer
Square footage on project parcel (s): _____ SF
- ☐ Wetland Habitat Buffer
Square footage on project parcel (s): _____ SF
- ☐ Stream
Square footage on project parcel (s): _____ SF
- ☐ Stream Water Quality Buffer
Square footage on project parcel (s): _____ SF
- ☐ Stream Habitat Buffer
Square footage on project parcel (s): _____ SF

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21. Wetland or stream category: _____

22. Please attach habitat management plan with copies. ☐ Habitat Management Plan attached.

B. TECHNICAL INFORMATION

1. Name of water purveyor: _____

If a private well, what class? _____

2. Type of sewage disposal: ☐ on-site septic ☐ off-site septic ☐ sewer
Sewer district: ☐ City of Bainbridge Island ☐ Sewer District 7

3. General description of the existing terrain: _____

4. Soil survey classification: _____

5. Flood plain designation: ☐A ☐AE

6. Access (street functional road classifications):

Street Type	Required ROW Width	Street Name	Existing ROW Width
primary arterial	150 feet	Highway 305	
secondary arterial	60 feet		
collector	50 feet		
residential urban	40 feet		
residential suburban	30 feet		
private	20 - 30 feet		

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7. Intended use of the land, as well as the sequence and timing of the proposed development:

8. Dimensions of proposed structures:

9. Height of proposed buildings or structures:

10. Square footage of all spaces:

storage:

retail:

residential:

office:

other:

11. Number of stories proposed:

12. Square feet per story:

(1)

(2)

(3)

13. Setback requirements:

north:

south:

east:

west:

14. Amount of square footage of proposed paved areas:

15. Square footage of building area:

16. Percent of site to be covered by impervious surfaces:

%

(If the proposal results in more than 1,000 square feet of additional impervious surface, a drainage plan shall be required.)

17. Percentage of site to be covered by landscaping:

%

18. Percentage of site to remain undeveloped:

%

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19. Is the applicant proposing any terms, conditions, covenants and agreements or other documents regarding the intended development: (If yes, attach copies) ☐ yes ☐ no ☐ unknown
20. Will the completed project result in 800 or more square feet of impervious surface (building footprint + driveways + parking)? ☐ yes ☐ no ☐ unknown
21. Will the project result in clearing more than six significant trees or 2,500 square feet of ground? ☐ yes ☐ no ☐ unknown
22. Do storm water systems exist on the site? ☐ yes ☐ no ☐ unknown
- If yes, were they constructed after 1982? ☐ yes ☐ no ☐ unknown
- If yes, what type of storm water system exists on the site?
☐ infiltration ☐ open ditching ☐ closed conveyance ☐ detention
23. Will the completed project result in excavating of or filling in:
☐ less than 50 cubic yards. ☐ more than 50 cubic yards but less than 100 cubic yards. ☐ more than 100 cubic yards.

I hereby certify that I have read this application and know the same to be true and correct.

*Signature of owner or authorized agent

Date

Please Print

*Signature of owner or authorized agent

Date

Please Print

**If signatory is not the owner of record, the attached "Owner/Agent Agreement" must be signed and notarized.*

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SUBMITTAL REQUIREMENTS FOR REASONABLE USE EXCEPTION APPLICATIONS

Submittal Documents. Application for a special use permit may be made after the completion of a pre-application conference. Applications must be submitted by the owner or others authorized by the owner in person at the City of Bainbridge Island, Department of Planning and Community Development. A complete application shall include the items listed below (unless waived in writing by the Director or Project Manager).

- ___ 1. An application form provided by the City with the notarized signatures of all property owners or an owner/applicant agreement with the notarized signatures of all property owners.
- ___ 2. An application fee in the amount specified by the City.
- ___ 3. Summary letter from the pre-application conference.
- ___ 4. A wetland mitigation plan in accordance with BIMC 16.20.110.
- ___ 5. An assessment of how the proposal meets all decision criteria.
- ___ 6. Scale drawings. (See following Drawing Format and Map Content specifications).
- ___ 7. Legal description of the property, tax lot number and vicinity map. (Refer to the Drawing Requirements below for more detail.)
- ___ 8. A complete and detailed written statement of the intended use of the land and the sequence and timing of the proposed development.
- ___ 9. Scaled drawings of the property (see Drawing Format, Identification Information, and Drawing Content for additional information).
- ___ 10. The terms, conditions, covenants and agreements under which the subject property is bound (e.g., plat conditions, conditional use permit conditions, or view easements) if any.
- ___ 11. An environmental checklist, if required under the State Environmental Policy Act (SEPA).
- ___ 12. Other plans and information deemed necessary by the director for evaluation of the merits of the proposal.
- ___ 13. A farm plan developed by the Kitsap Conservation District if special use request is for an agricultural conversion.

Drawing Format

Required Size: 18" x 24"

Minimum scale: 1" = 100'

Border: 1" minimum all sides

SUBMITTAL REQUIREMENTS FOR REASONABLE USE EXCEPTION APPLICATIONS

Identification Information (to be included on each page of each drawing)

- ___1. Project title.
- ___2. Space for the Dept. of Planning and Community Development's application number.
- ___3. Name of property owner(s).
- ___4. Sheet title (road, drainage, grading, utility, temporary erosion and sedimentation control, site constraints, etc.)
- ___5. Revision block
- ___6. Quarter Section, Section, Township and Range in which property is located.
- ___7. Date drawings were prepared.
- ___8. Page numbers and total number of pages.
- ___9. Name, address, phone number, fax number and E-mail address of professional who prepared the drawing.
- ___10. North arrow with north at top or left side of sheet
- ___11. Graphic scale.
- ___12. Elevation datum and benchmark

Drawing Content

- ___1. Vicinity map showing the proposed project site, easements and major city streets. Map shall, at a minimum, show adjacent streets and lots in sufficient manner to reasonably locate the site.
 - ___2. Location, name, width, and ownerships of all existing and proposed boundaries, streets, roads, rights-of-way, or easements on or adjacent to the subject property.
 - ___3. Circulation plans on and off the site, including pedestrian, bicycle and transit access, delineated parking spaces, location of locking bicycle space, etc.
 - ___4. Location of all existing structures and improvements on or adjacent to the subject property.
 - ___5. Location of proposed improvements.
 - ___6. Utilities plans.
 - ___7. Location of all existing vegetation, including all trees over six inches in diameter, on the subject property.
 - ___8. Contours at a maximum interval of five (5) feet.
 - ___9. Location of all existing watercourses, slopes, wetlands, required buffers, critical areas regulated under BIMC 16.20, and other natural features on the subject property.
 - ___10. Any other plans deemed necessary for evaluation.
-

ADDITIONAL INFORMATION FOR REASONABLE USE EXCEPTION APPLICATIONS

Criteria for review and approval of reasonable use exceptions are as follows:

- The application of this chapter would deny all reasonable use of the property;
- There is no reasonable alternative to the proposal;
- The proposed impact to the critical area is the minimum necessary to allow reasonable use of the property;
- The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant, or of the applicant's predecessor, that occurred after February 20, 1992;
- The proposed total lot coverage does not exceed 1,200 square feet;
- The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the property;
- Any net loss of critical area functions and values, as determined by a qualified consultant through the application of best available science, will be mitigated on-site to the extent feasible if off-site options are not available. If off-site options, such as a fee-in-lieu or mitigation banking program, are available, the mix of on-site and off-site mitigation should be based on recommendations of the consultant; and
- A Habitat Management Plan has been prepared pursuant to BIMC 16.20.060, unless it is determined through the applicable review process that such a plan is unnecessary; and
- The proposal is consistent with other applicable regulations and standards.

Studies shall be prepared by experts in the area of concern, who shall be selected from a list of approved consultants prepared by the Director, as follows:

- Aquifer recharge study: Hydrogeologist;
- Flood hazard area study: Professional civil engineer; hydro-geologist;
- Geologically hazardous area study: Engineering geologist; geotechnical engineer, provided that:
 - An engineering geologist may provide a study, including interpretation, evaluation, analysis, and application of geological information and data and may predict potential or likely changes in types and rates of surficial geologic processes due to proposed changes to a location, provided it does not contain recommended methods for mitigating identified impacts, other than avoidance, structural impacts to, or suitability of civil works; and
 - Engineering geologists may not provide engineering recommendations or design recommendations, but may contribute to a complete geotechnical report that is co-sealed by a geotechnical engineer.
- Stream, riparian area, drainage corridor study: Biologist with stream ecology expertise; fish or wildlife biologist; a civil engineer may provide studies for drainage, surface and subsurface hydrology, and water quality;
- Wetland study: Wetlands specialist.
- Habitat Management Plans: Wildlife biologist and/or fisheries biologist.

Owner/Agent Agreement

The undersigned is (are) the owner(s) of record of the property identified by the Kitsap County Assessor's account number _____, located at _____, Bainbridge Island, Washington. The undersigned hereby gives (give) consent and approval to _____

to act on his/her (their) behalf as his/her (their) agent to proceed with an application for (please

check all items that apply): ☐ preapplication conference
☐ planning permits
☐ construction permits (i.e. building, water/sewer availability, right-of-way, etc)

on the property referenced herein. This agreement authorizes the agent to act on the owner's behalf for the above checked applications through (date or specific phase) _____.

Owner of record

Date

Owner of record

Date

STATE OF WASHINGTON)
) SS.
COUNTY OF KITSAP)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared:

to me known as the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he/she/they signed and sealed the said instrument, as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he/she/they was (were) authorized to execute said instrument.

WITNESS MY HAND AND OFFICIAL SEAL, hereto affixed the day and year in this certificate above written.

Notary Public in and for the State of Washington

Residing at _____

My appointment expires: _____